IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.472 OF 2004
IN
WRIT PETITION NO.1476 OF 1993

Mrs.Kalavati M. Ghadi ..Petitioner.

Vs.

The State of Maharashtra
& Ors. ..Respondents.

Mrs.S.A. Dhamale, Advocate for the Petitioner.

Mr.S.Ajithkumar for the Respondents - B.M.C.

CORAM: S.RADHAKRISHNAN AND
S.J.VAZIFDAR, JJ.

DATED: 21ST SEPTEMBER, 2004

P.C. :

Heard the learned counsel for the Petitioner and the learned counsel for the Respondents.

2. By this Notice of Motion the Petitioner is seeking recall of our order dated 10th August, 2004 whereby the above Petition was dismissed in default.

3. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for recalling of our order dated

10th August, 2004 dismissing the Petition in default. There is no case of inaction, negligence or want of bonafide.

4. In the aforesaid facts and circumstances, Notice of Motion is made absolute in terms of prayer clauses (a) and (b) subject to the condition that the Petitioner shall deposit a sum of Rs.250/- with the Maharashtra State Legal Services Authority within a period of four weeks from today, as condition precedent.

6. Place the Writ Petition on board for final hearing on 25th October, 2004.

(S.Radhakrishnan, J.)

(S.J.Vazifdar, J.)